

**AMENDMENT OFFERED BY MR. SOUDER
TO THE AMENDMENT IN THE NATURE OF A
SUBSTITUTE
OFFERED BY MR. GOODLING**

Page 15, after line 20, insert the following:

1 (m) TREATMENT OF RELIGIOUS ORGANIZATIONS.—
2 Part B of title I of the Elementary and Secondary Edu-
3 cation Act of 1965 (20 U.S.C. 6361 et seq.) is amended
4 by adding at the end the following:

5 “**SEC. 1213. RELIGIOUS ORGANIZATIONS.**

6 “(a) RELIGIOUS ORGANIZATIONS INCLUDED AS
7 PARTNERSHIP PARTICIPANTS.—In carrying out this part,
8 the Secretary, and any grantee or subgrantee receiving as-
9 sistance under this part, shall treat religious organizations
10 the same as other nongovernmental organizations, so long
11 as the part is implemented in a manner consistent with
12 the Establishment Clause of the first amendment to the
13 Constitution. The Secretary, and any grantee or sub-
14 grantee receiving assistance under this part, shall not dis-
15 criminate against an organization that participates in a
16 partnership that is an eligible entity that is receiving as-
17 sistance under this part or is applying to receive such as-
18 sistance, on the basis that the organization has a religious
19 character.

1 “(b) RELIGIOUS CHARACTER AND INDEPEND-
2 ENCE.—

3 “(1) IN GENERAL.—A religious organization
4 that participates in a partnership that is an eligible
5 entity that is receiving assistance under this part or
6 is applying to receive such assistance shall retain its
7 religious character and control over the definition,
8 development, practice, and expression of its religious
9 beliefs.

10 “(2) ADDITIONAL SAFEGUARDS.—Neither the
11 Federal Government nor a State or local government
12 shall require a religious organization—

13 “(A) to alter its form of internal govern-
14 ance; or

15 “(B) to remove religious art, icons, scrip-
16 ture, or other symbols;

17 in order to be eligible to participate in a partnership
18 that is an eligible entity that is receiving assistance
19 under this part or is applying to receive such assist-
20 ance.

21 “(3) EMPLOYMENT PRACTICES.—A religious or-
22 ganization’s exemption provided under section 702
23 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-
24 1) regarding employment practices shall not be af-

1 fected by its participation in, or receipt of funds
2 from, a program under this part.

3 “(c) LIMITATIONS ON USE OF FUNDS FOR CERTAIN
4 PURPOSES.—No funds provided to a religious organiza-
5 tion under this part or section 1002(b) shall be expended
6 for sectarian worship, instruction, or proselytization.

7 “(d) PROHIBITION.—A religious organization may
8 not serve as a fiscal agent for a partnership that is an
9 eligible entity receiving a subgrant under this part.

10 “(e) NONDISCRIMINATION AGAINST BENE-
11 FICIARIES.—Except as otherwise provided in law, a reli-
12 gious organization shall not discriminate against an indi-
13 vidual in regard to rendering services under this part on
14 the basis of religion, a religious belief, or refusal actively
15 to participate in a religious practice.”.